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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,427	09/30/2003	Daisaku Ide	1232-5168	7011
27123	7590	12/16/2005	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			SHAH, MANISH S	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,427

Applicant(s)

IDE ET AL.

Examiner

Manish S. Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/13/2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
4a) Of the above claim(s) 3, 15, 16 and 18-30 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1, 2, 4-14 and 17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/6/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-2, 4, 8-14 & 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Wen (# US 6193361).

Wen discloses a print producing method of producing a print with varying a degree of gloss of a print medium, the method including the steps of applying ink including a coloring material to the printing medium (element: 100, 110, figure: 1); and applying a polymeric fluid droplet different from the ink to the print medium (element: 125, figure: 1) to which ink has been applied (figure: 1, 2, 5), wherein the application of the polymeric fluid causes the degree of gloss to be varied among a plurality of levels (column: 4, line: 15-25). They also disclose that the steps of controlling a level of integrating a plurality of polymeric fluid droplet, which are applied for forming the layer to vary the degree of gloss (column: 4, line: 15-25). They also disclose that the polymeric fluid contains an aqueous medium and polymer (column: 6, line: 15-35, 55-65). They also disclose that the surface of the print medium has pH contributing to insolubilize the polymer (column: 6, line: 45-65). They also disclose that the ink-receiving layer of print medium contains polyvalent metal ions (coated paper, glossy film) (column: 6, line: 45-

55). They also disclose that the inkjet recording apparatus has a controller to controls the ejecting amount and location of the ejection of the ink composition and polymeric fluid composition (figure: 1; column: 3, line: 55-67). They also disclose that the polymeric fluid and inks are ejected from the plurality of the nozzles (figure: 1-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being obvious over Wen (# US 6193361) in view of Ogino et al. (# US 6848781).

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and

reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

We disclose all the limitations of the print producing method except that the predetermined liquid contains an aqueous medium and polymer having the general formula $-COOA$, and the polymer is insolubilized when the predetermined liquid is applied to the surface of the printing medium so that the predetermined liquid droplet is insolubilized on the surface of the print medium. (2) The surface of the printing medium has pH contributing to insolubilize the polymer. (3) The ink-receiving layer of the printing medium contains polyvalent metal ions of such a concentration as insolubilizes the polymer.

Ogino et al. teaches that to get the high quality, rub resistance and gas resistance printed image, the predetermined liquid contains an aqueous medium and polymer having the general formula $-COOA$, and the polymer is insolubilized when the predetermined liquid is applied to the surface of the printing medium so that the predetermined liquid droplet is insolubilized on the surface of the print medium (column: 4, line: 45-65). They also disclose that the surface of the printing medium has pH contributing to insolubilize the polymer (column: 5, line: 39-45; column: 3, line: 15-30). They also disclose that the ink-receiving layer of the printing medium contains

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polyvalent metal ions of such a concentration as insolubilizes the polymer (column: 5, line: 48-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the predetermine liquid of Wen by the aforementioned teaching of Ogino et al. in order to have the high quality, rub resistance and gas resistance printed image.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

12/9/05